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Via ECFS

April 3, 2017

Chairman Ajit Pai
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Business Data Services in an Internet Protocol Environment, WC Docket No. 16-143; Technology Transitions, GN Docket No. 13-5; Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25; and AT&T Corp. Petition for Rulemaking, RM-10593*

Dear Chairman Pai:

On behalf of America's competitive carriers that provide innovative and cost-effective communications choices for small and medium-sized businesses, and critical community institutions such as schools, libraries, health care providers and state and local governments, I am writing to ask that you direct the Wireline Competition Bureau to release publicly the list of counties that would be deemed "competitive" under the test contained in the draft Order on Business Data Services that was released last Thursday and is currently being considered by the Commission for vote at the Commission's April 20 Open Meeting. I ask that this list be released this week, so that all interested parties—including small and medium-sized businesses—can evaluate the impact of the proposed Order.

The draft Order states that approximately 92% of all locations that utilize Business Data Services would see an end to protections against monopoly or duopoly pricing. It is critical to a thoughtful and reasoned consideration of this Order to be able to assess exactly what that means, and how many small and medium-sized businesses and critical community institutions could face dramatic price hikes.

We note that there is no longer any confidentiality interest in withholding this information from the public. The draft Order and accompanying rules expressly provide that the Commission will publish a list of these counties. Because this information would be released after the draft Order is adopted, there is no reason to withhold it prior to the Commission's vote. Withholding this list only serves to obscure the impact that this draft Order could have on a wide range of business, institutional and governmental users.

You have led the way in transparency by releasing draft Orders prior to their consideration by the full Commission. We ask you, in the same vein, to release the list of counties, which the Commission already has identified, that will lose the competition protections the Commission's current rules and policies provide in just a few months should the Commission adopt the draft Order.

Thank you for your prompt attention to this request.

Respectfully submitted,

/s/ Chip Pickering

Chip Pickering
CEO